

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMICK PHYSICAL THERAPY AND
ASSOCIATES, INC.,

Appellant,

vs.

HEIDI ROLLO, INDIVIDUALLY,
Respondent.

No. 40112

FILED

FEB 19 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Reha*
CHIEF DEPUTY CLERK

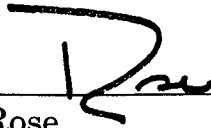
ORDER DISMISSING APPEAL


This appeal was docketed in this court on August 23, 2002. In the notice of appeal, appellant states that it is appealing from "the decision of the District Court denying Plaintiff's Motion for Reconsideration." On October 9, 2002, appellant filed an amended notice of appeal. In that notice, appellant states that it is appealing from "the decision of the District Court on the Plaintiff's Ex Parte Motion for Approval and Payment of Liens," as well as the order denying the motion for reconsideration. The district court order ruling on the Motion for Approval and Payment of Liens was entered on July 29, 2002.


On October 28, 2002, respondent filed a motion to dismiss this appeal. Respondent notes that no appeal may be taken from an order denying a motion for reconsideration. See Phelps v. State, 111 Nev. 1021, 900 P.2d 344 (1995). Further, a motion for reconsideration does not toll the time period within which to file a notice of appeal. See NRAP 4(a)(2); Chapman Indus. v. United Ins. Co. of America, 110 Nev.454, 874 P.2d 739 (1994). Accordingly, respondent requests this court to dismiss this appeal

for lack of jurisdiction. Appellant has not opposed the motion. Cause appearing, we grant the motion and we hereby dismiss this appeal.

It is so ORDERED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. Allan R. Earl, District Judge
Cohen, Johnson, Day, Jones & Royal
Kelly & Sullivan, Ltd.
Clark County Clerk